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ON SENATE FLOOR

# Denounce CIA Hiring Methods

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WASHINGTON, D.C. — Senator Sam J. Ervin, jr. (Dem., N.C.), red-faced and furious about backstage lobbying by the Central Intelligence Agency (CIA), has denounced the CIA for wanting to "stand above the law."

"They want the unmitigated right to kick federal employees around [and] deny them . . . the basic rights which belong to every American," Ervin declared Tuesday.

Ervin's remarks on the Senate floor amounted to one of the sharpest and bitterest congressional attacks on the supersecret intelligence agency since its formation in 1947.

The denunciation may be widely felt, because Ervin is a conservative and a member of the Senate Armed Services Committee, which has jurisdiction over the CIA.

## Postponed Debate

His comments came shortly after the Senate leadership, at the insistent request of CIA officials, abruptly scratched from Tuesday's Senate agenda an Ervin-sponsored bill to safeguard the rights of federal employees.

Among other things, the bill prohibits the CIA and the equally secret National Security Agency (NSA) from asking employees or job applicants about their sex habits, family relations or religious beliefs as part of lie detector or psychiatric tests.

The only exception is for situations where the directors of the CIA or the NSA determine that such questioning is vital to protect national security.

## Ask Secret Hearing

Late last week, CIA representatives notified several senators, including James O. Eastland (Dem., Miss.), chairman of the Judiciary Committee, that they

wanted a secret hearing for their objections to the bill. Lie detector tests are widely used by the CIA.

The Judiciary Committee reported the bill by a unanimous vote several weeks ago. Ervin has said that the CIA was invited on two occasions to testify during committee deliberations but refused.

Apparently with Eastland's approval, the Ervin bill was not recommitted to the Judiciary Committee but was placed on the Senate agenda for Tuesday. Then, at mid-morning, the bill was removed from the agenda.

Ervin, in his Senate speech shortly afterward, read a federal law forbidding agencies of the executive branch from attempting to influence the passage of or defeat of legislation before Congress.

"I suggest," Ervin declared tartly, "that the Central Intelligence Agency could leave its polygraph [lie detector] machines long enough to conduct an investigation to determine whether this statute has been violated."

## Hruska Support

Ervin's position was promptly supported by Senator Roman L. Hruska (Rep., Neb.), an influen-

tial member of the Judiciary Committee.

Hruska criticized the "very deplorable personnel practices" of the CIA and warned that if the intelligence agency tried to win across-the-board exemption from the Ervin bill, he would fight to remove even the limited exemptions permitted by the committee.

CIA officials have been active on capitol hill in the the last few days. It was learned that Director Richard Helms has appointments with several Judiciary Committee members this week.

## Made Public

Ervin's sharply worded speech originally was circulated as a private memorandum to other Judiciary Committee members. But when his bill was erased from the agenda, he decided to read his memo into the Record.

The guarantees of the Constitution, he told the Senate, have no limits or exceptions.

"They were meant to apply to all Americans; not to all Americans with the exception of those employed by the Central Intelligence Agency and the National Security Agency.

"My research has revealed no language in our Constitution which envisions enclaves in Washington, Langley or Fort Meade, where no law governs the rights of citizens except that of the director of an agency."

The CIA's main headquarters are located at Langley, Va., just across the Potomac River from Washington. The NSA headquarters are at Fort Meade, in nearby Maryland.

## He Couldn't Pass

Ervin condemned the use of mechanical lie detectors, which he claimed are completely unreliable, as "a species of 20th century witchcraft . . . I couldn't pass a polygraph test because my blood pressure shoots up too high."

He also objected to the use of psychological tests. "Do they [the CIA] not know how to evaluate a secretary for employment without asking her how her bowels are, if she has diarrhea . . . if she believes in God, if she believes in the second coming of Christ, if her sex life is satisfactory . . .?"

Such personnel practices are chasing away from government service some of the nation's most able young people, Ervin warned.

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